



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Fereidoon Heydari and Hakan Ozdemir  
Title: **CIRCUIT AND METHOD FOR DEMODULATING A SERVO POSITION BURST**  
Serial Number: 09/993,986  
Filing Date: November 5, 2001  
Examiner/Unit: Daniell Negron / 2627  
Attorney Docket No.: 01-S-045 (1678-047-03)

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited in the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, MS AF, P.O. Box 1450, Alexandria, VA 22313-1450, on this 20<sup>th</sup> day of June, 2007.

  
Signature

REASONS FOR PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

In accordance with the Pre-Appeal Brief Request for Review, Applicants submit the following:

### **Claim Status and Summary of Pre-Appeal Brief**

Claims 1-5, 7-16, 19-20 and 22-56 are pending.

The Applicant's attorney is requesting review of claims 1-5, 7-16, 19-20 and 22-56 as listed in the response (mailed May 21, 2007) to the final Office Action (mailed February 20, 2007).

On August 23, 2006, the USPTO mailed an Office Action.

On December 26, 2006, the Applicant's attorney mailed a response to the Office Action. Because it seemed that an agreement placing the claims in condition for allowance might be reached with the Examiner over the phone after she considered the response, the Applicant's attorney requested that after the Examiner considered the response, that she phone the Applicant's attorney to schedule a telephone interview if she did not agree that all of the claims were allowable. The specific wording of this request was "if, after considering this response, the Examiner does not agree that all of the claims are allowable, then it is respectfully requested that the Examiner schedule a teleconference with the Applicant's attorney to further the prosecution of the application." The Examiner never phoned the Applicant's attorney to schedule an interview even though she subsequently issued a final Office Action rejecting the claims per below.

On February 20, 2007, the USPTO mailed a final Office Action rejecting all pending claims.

On May 21, 2007, the Applicant's attorney mailed a response to the final Office Action. Again the Applicant's attorney requested that after the Examiner considered the response, that she phone the Applicant's attorney to schedule a telephone interview if she did not agree that all of the claims were allowable. The Examiner never phoned the Applicant's attorney.

On June 6, 2007, the USPTO mailed an Advisory Action.

The Applicant's attorney disputes the Examiner's contention that claims 1-5, 7-16, 19-20 and 22-56 are not in condition for allowance.

Claim 1 recites a position-burst demodulator including an input circuit operable to receive even and odd samples of a first servo position burst, to add the even samples to generate a first sum, and to add the odd samples to generate a second sum.

For example, referring, e.g., to FIGS. 5-6 of the present application, a position-burst demodulator 70 includes an input circuit (adders 72a and 72b) operable to receive even samples 60 and odd samples 62 of a servo position burst, to add (adder 72a) the even samples 60 to generate a first sum E, and to add (adder 72b) the odd samples 62 to generate a second sum O.

In contrast, Leis et al. does not disclose a position-burst demodulator including an input circuit operable to receive even and odd samples of a first servo position burst, to add the even samples to generate a first sum, and to add the odd samples to generate a second sum. Leis discloses a burst detector 55 that multiplies (multipliers 551 and 554) a sampled waveform 51(49) by two orthogonal sine waves (FIG. 14B; col. 14, lines 14-35). Each and every sample of the waveform is multiplied by both the first sine wave (multiplier 551) and the second sine wave (multiplier 554). As a result, instead of adding the even samples to generate a first sum and adding the odd samples to generate a second sum as recited in claim 1, Leis adds all of the samples (both even and odd) from the multiplier 551 with the adder 552 and adds all of the samples (both even and odd) from the multiplier 554 with the adder 555. Therefore, Leis does not disclose all of the limitations of claim 1.

Claims 4-5, 8-12, 14-16, 19-20, 23-24 and 26-29 are patentable for reasons similar to those recited above in support of the patentability of claim 1.

Claims 2-3, 7, 13, 22, 25 and 30-56 are patentable by virtue of their respective dependencies from claims 1, 5, 8-10, 12, 15-16, 20, 23-24 and 27-29.

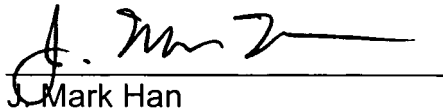
Consequently, in light of the above, claims 1-5, 7-16, 19-20 and 22-56 are in condition for allowance over the cited prior art.

In the event additional fees are due, you are hereby authorized to charge such payment to Deposit Account No. 07-1897.

DATED this 20<sup>th</sup> day of June, 2007.

Respectfully Submitted,

GRAYBEAL JACKSON HALEY LLP

A handwritten signature in black ink, appearing to read "J. Mark Han", is written over a horizontal line.

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